

EXHIBIT A

ALABAMA SJIS CASE DETAIL



County: **05** Case Number: **CV-2022-900276.00** Court Action:
 Style: **CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.**

PREPARED FOR: GEORGE IRVINE

Real Time

Case

Case Information

County: **05-BALDWIN** Case Number: **CV-2022-900276.00** Judge: **SPT:SCOTT P. TAYLOR**
 Style: **CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.**
 Filed: **03/21/2022** Case Status: **ACTIVE** Case Type: **CONTRACT/EJMNT/SEIZU**
 Trial Type: **BENCH** Track: Appellate Case: **0**
 No of Plaintiffs: **1** No of Defendants: **1**

Damages

Damage Amt: **0.00** Punitive Damages: **0.00** General Damages: **0.00**
 No Damages: Compensatory Damages: **0.00**
 Pay To: Payment Frequency: Cost Paid By:

Court Action

Court Action Code: Court Action Desc: Court Action Date:
 Num of Trial days: **0** Num of Liens: **0** Judgment For:
 Disposition Date of Appeal: Disposition Judge: : Disposition Type:
 Revised Judgement Date: Minstral: Appeal Date:
 Date Trial Began but No Verdict (TBNV1):
 Date Trial Began but No Verdict (TBNV2):

Comments

Comment 1:
 Comment 2:

Appeal Information

Appeal Date: Appeal Case Number: Appeal Court:
 Appeal Status: Origin Of Appeal:
 Appeal To: Appeal To Desc: LowerCourt Appeal Date:
 Disposition Date Of Appeal: Disposition Type Of Appeal:

Administrative Information

Transfer to Admin Doc Date: Transfer Reason: Transfer Desc:
 Number of Subpoenas: Last Update: **04/06/2022** Updated By: **CHW**

Settings

Settings

| | Date: | Que: | Time: | Description: |
|---|------------|------|----------|----------------------------|
| 4 | 09/13/2022 | 001 | 02:00 PM | PTRC - PRETRIAL CONFERENCE |

Parties

Party 1 - Plaintiff BUSINESS - CLAREMONT PROPERTY COMPANY

Party Information

Case 1:22-cv-00206-TFM-N Document 1-1 Filed 05/26/22 Page 3 of 26 PageID #: 8

| | | | | | |
|------------|-------------------------|-----------|----------------------------|-----------|----------------|
| Party: | C001-Plaintiff | Name: | CLAREMONT PROPERTY COMPANY | Type: | B-BUSINESS |
| Index: | D ISLAND TOWER | Alt Name: | | Hardship: | No |
| Address 1: | C/O JACK P. RUSSELL | | | JID: | SPT |
| Address 2: | 1801 5TH AVE N, STE 400 | | | Phone: | (205) 324-4400 |
| City: | BIRMINGHAM | State: | AL | Zip: | 35203-0000 |
| SSN: | XXX-XX-X999 | DOB: | | Country: | US |
| | | | | Sex: | |
| | | | | Race: | |

Court Action

| | | |
|----------------------|------------------------|---------------------|
| Court Action: | | Court Action Date: |
| Amount of Judgement: | \$0.00 | Exemptions: |
| Cost Against Party: | \$0.00 | Date Satisfied: |
| Comment: | | Arrest Date: |
| Warrant Action Date: | | Status Description: |
| | Warrant Action Status: | |

Service Information

| | | | |
|---------|--------------|-----------------------|----------------------|
| Issued: | Issued Type: | Reissue: | Reissue Type: |
| Return: | Return Type: | Return: | Return Type: |
| Served: | Service Type | Service On: | Notice of No Answer: |
| Answer: | Answer Type: | Notice of No Service: | Served By: |

Attorneys

| Number | Attorney Code | Type of Counsel | Name | Email | Phone |
|------------|---------------|-----------------|--------|-------|-------|
| Attorney 1 | 000000 | | PRO SE | | |

Party 2 - Defendant BUSINESS - ISLAND TOWER OWNERS ASSOCIATION INC.**Party Information**

| | | | | | |
|------------|---------------------------|-----------|--------------------------------------|-----------|----------------|
| Party: | D001-Defendant | Name: | ISLAND TOWER OWNERS ASSOCIATION INC. | Type: | B-BUSINESS |
| Index: | C CLAREMONT PR | Alt Name: | | Hardship: | No |
| Address 1: | GEORGE IRVINE, AS COUNSEL | | | JID: | SPT |
| Address 2: | 8820 US HWY 90 | | | Phone: | (334) 000-0000 |
| City: | DAPHNE | State: | AL | Zip: | 36526-0000 |
| SSN: | XXX-XX-X999 | DOB: | | Country: | US |
| | | | | Sex: | |
| | | | | Race: | |

Court Action

| | | |
|----------------------|------------------------|---------------------|
| Court Action: | | Court Action Date: |
| Amount of Judgement: | \$0.00 | Exemptions: |
| Cost Against Party: | \$0.00 | Date Satisfied: |
| Comment: | | Arrest Date: |
| Warrant Action Date: | | Status Description: |
| | Warrant Action Status: | |

Service Information

| | | | | | | | |
|---------|------------|--------------|------------------|-----------------------|------------|----------------------|---------------------------|
| Issued: | 03/21/2022 | Issued Type: | C-CERTIFIED MAIL | Reissue: | 05/02/2022 | Reissue Type: | F-CERTIFIED MAIL BY FILER |
| Return: | | Return Type: | | Return: | | Return Type: | |
| Served: | 03/25/2022 | Service Type | C-CERTIFIED MAIL | Service On: | | Notice of No Answer: | |
| Answer: | | Answer Type: | | Notice of No Service: | | Served By: | |

Attorneys

| Number | Attorney Code | Type of Counsel | Name | Email | Phone |
|------------|---------------|-----------------|--------|-------|-------|
| Attorney 1 | 000000 | | PRO SE | | |

Case Action Summary

| Date: | Time | Code | Comments | Operator |
|-----------|----------|--------|--|----------|
| 3/21/2022 | 2:35 PM | ECOMP | COMPLAINT E-FILED. | RUS045 |
| 3/21/2022 | 2:36 PM | FILE | FILED THIS DATE: 03/21/2022 (AV01) | AJA |
| 3/21/2022 | 2:36 PM | EORD | E-ORDER FLAG SET TO "Y" (AV01) | AJA |
| 3/21/2022 | 2:36 PM | ASSJ | ASSIGNED TO JUDGE: SCOTT TAYLOR (AV01) | AJA |
| 3/21/2022 | 2:36 PM | SCAN | CASE SCANNED STATUS SET TO: N (AV01) | AJA |
| 3/21/2022 | 2:36 PM | TDMN | BENCH/NON-JURY TRIAL REQUESTED (AV01) | AJA |
| 3/21/2022 | 2:36 PM | STAT | CASE ASSIGNED STATUS OF: ACTIVE (AV01) | AJA |
| 3/21/2022 | 2:36 PM | ORIG | ORIGIN: INITIAL FILING (AV01) | AJA |
| 3/21/2022 | 2:36 PM | C001 | C001 PARTY ADDED: CLAREMONT PROPERTY COMPANY(AV02) | AJA |
| 3/21/2022 | 2:36 PM | C001 | INDIGENT FLAG SET TO: N (AV02) | AJA |
| 3/21/2022 | 2:36 PM | C001 | C001 E-ORDER FLAG SET TO "Y" (AV02) | AJA |
| 3/21/2022 | 2:36 PM | C001 | LISTED AS ATTORNEY FOR C001: RUSSELL JACK PERSHIN | AJA |
| 3/21/2022 | 2:36 PM | D001 | INDIGENT FLAG SET TO: N (AV02) | AJA |
| 3/21/2022 | 2:36 PM | D001 | D001 E-ORDER FLAG SET TO "Y" (AV02) | AJA |
| 3/21/2022 | 2:36 PM | D001 | CERTIFIED MAI ISSUED: 03/21/2022 TO D001 (AV02) | AJA |
| 3/21/2022 | 2:36 PM | D001 | D001 PARTY ADDED: ISLAND TOWER OWNERS ASSOCIATION | AJA |
| 3/21/2022 | 2:36 PM | D001 | LISTED AS ATTORNEY FOR D001: PRO SE (AV02) | AJA |
| 3/25/2022 | 12:25 PM | ESERC | SERVICE RETURN - D001 - COMPLAINT | |
| 3/25/2022 | 12:25 PM | D001 | SERVICE OF CERTIFIED MAI ON 03/25/2022 FOR D001 | AJA |
| 4/6/2022 | 10:49 AM | JEORDE | ORDER E-FILED - ORDER - PRETRIAL CONFERENCE - RENDERED & ENTERED: 4/6/2022 10:49:21 AM | |
| 4/6/2022 | 12:13 PM | DAT4 | FOR: PRETRIAL CONFERENCE ON 09/13/2022 @ 0200P | CHW |
| 5/2/2022 | 3:09 PM | EALIA | ALIAS SUMMONS E-FILED | RUS045 |
| 5/2/2022 | 3:10 PM | ETRAN | ALIAS SUMMONS - SUMMONS | |
| 5/2/2022 | 3:10 PM | ---- | SCANNED - ALIAS SUMMONS - TRANSMITTAL - E-NOTICE TRANSMITTALS | |
| 5/2/2022 | 3:10 PM | ---- | SCANNED - ALIAS SUMMONS - SUMMONS - E-NOTICE TRANSMITTALS | |
| 5/2/2022 | 3:10 PM | D001 | D001 ADDR1 CHANGED FROM: P.O. BOX 851 (AV02) | AJA |
| 5/2/2022 | 3:10 PM | D001 | D001 ADDR CITY CHANGED FROM: GULF SHORES (AV02) | AJA |
| 5/2/2022 | 3:10 PM | D001 | REISSUE OF CERT MAIL-FI ON 05/02/2022 FOR D001 | AJA |

**END OF THE REPORT**



| | | |
|--|---|--|
| State of Alabama Unified Judicial System Form ARCiv-93 Rev. 9/18 | COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases) | Cas: 05 Date of Filing: 03/21/2022 JUDGE: JODY L. WISE, CLERK Judge Code: |
| GENERAL INFORMATION | | |
| IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA CLAREMONT PROPERTY COMPANY v. ISLAND TOWER OWNERS ASSOCIATION INC. | | |
| First Plaintiff: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other | | |
| First Defendant: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other | | |
| NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action: | | |
| <div>TORTS: PERSONAL INJURY <input type="checkbox"/> WDEA - Wrongful Death <input type="checkbox"/> TONG - Negligence: General <input type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____</div> <div>TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Property</div> <div>OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Service</div> | | |
| <div>OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input checked="" type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> EPFA - Elder Protection From Abuse <input type="checkbox"/> QTLB - Quiet Title Land Bank <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case</div> | | |
| ORIGIN: F <input checked="" type="checkbox"/> INITIAL FILING A <input type="checkbox"/> APPEAL FROM DISTRICT COURT O <input type="checkbox"/> OTHER R <input type="checkbox"/> REMANDED T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT | | |
| HAS JURY TRIAL BEEN DEMANDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure) | | |
| RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED | | |
| ATTORNEY CODE: RUS045 Date: 3/21/2022 2:35:50 PM Signature of Attorney/Party filing this form: /s/ JACK P RUSSELL | | |
| MEDIATION REQUESTED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNDECIDED | | |
| Election to Proceed under the Alabama Rules for Expedited Civil Actions: <input type="checkbox"/> YES <input type="checkbox"/> NO | | |



IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAREMONT PROPERTY COMPANY,

PLAINTIFF,

v.

ISLAND TOWER OWNERS ASSOCIATION,
INC., and FICTITIOUS PARTIES A-D, being
fictitious party Defendants, whose names are not
known at this time, but which will be added
when ascertained, and who are those persons
firms, corporations, or other legal entities,
which benefitted from the work performed by
Plaintiff. Upon ascertaining the proper names
and/or identities of the Fictitious Defendants,
Plaintiff will seasonably amend the Complaint
to identify the parties,

DEFENDANTS.

CIVIL ACTION NO. _____

COMPLAINT

COMES NOW, Plaintiff, Claremont Property Company, Inc., and files this Complaint
against Defendants, Island Tower Owners Association, Inc. and Fictitious Parties A-D as follows:

PARTIES

1. Plaintiff, Claremont Property Company, Inc., is a Texas corporation authorized
to transact business in Alabama. Plaintiff, among other specialties, restores and remediates
properties that have experienced a water, fire, or other destructive event.

2. Upon information and belief, Defendant, Island Tower Owners Association,
Inc., is an Alabama non-profit corporation which is the owner's association of the Island Tower
condominiums located at or near 521 W. Beach Blvd., Gulf Shores, Alabama ("Island
Tower").

3. Fictitious parties A through D are those entities that have benefited from the work performed by Plaintiff.

JURISDICTON AND VENUE

4. This Court has jurisdiction over this matter pursuant to Ala. Code § 12-12-30.

5. The events, transactions, and occurrences forming the factual nexus and subject matter of Plaintiff's action against Defendants took place within Baldwin County, Alabama. Therefore, pursuant to Alabama Code § 6-3-7 (1975) venue is proper in the Circuit Court of Baldwin County, Alabama.

FACTUAL ALLEGATIONS

6. As background, Island Tower is a condominium complex located in Gulf Shores, Alabama.

7. On or around November 20, 2020, Defendants contracted with Plaintiff to perform construction for the complex.

8. Plaintiff's work on the Island Tower was extensive, including making repairs to Island Tower that suffered water and moisture damage. While making the repairs, Plaintiff also incurred expenses arising from the purchase of materials and employing labor.

9. Upon completion of each stage of the work, Plaintiff provided invoices to Defendants. Defendants paid some, but not all of the invoices, for work performed from December 2021 to September 8, 2021.

10. To date, Defendants have failed to pay the amounts due under the invoices. A balance remains of \$740,303.41 for work performed, which is now past due.

11. Pursuant to the Contract, Plaintiff is entitled to attorneys' fees in any action to enforce the Contract.

COUNT I**BREACH OF CONTRACT**

12. Plaintiff adopts and incorporates all paragraphs of the Complaint by reference as if fully set forth herein.

13. Defendants entered into a Contract with Plaintiff for the construction provided to Island Tower.

14. Defendants owe Plaintiff for the work performed under the Contract.

15. Defendants have breached the Contract by failing to pay for the services rendered under contract.

WHEREFORE, Plaintiff demands judgment against Defendants, inclusive of accrued interest, attorneys' fees and costs incurred in bringing this action, and for such further relief as this Court deems just and proper.

COUNT II**UNJUST ENRICHMENT/QUANTUM MERUIT**

16. Plaintiff adopts and incorporates all paragraphs of the Complaint by reference as if fully set forth herein.

17. Plaintiff conferred a benefit upon Defendants by providing the contracted -for services to Defendants, which directly benefited the Defendants.

18. Defendants appreciated, accepted, and retained the benefits Plaintiff conferred upon Defendants.

19. It would be inequitable for Defendants to retain the benefits conferred by Plaintiff without paying fair value for the benefits conferred.

20. Defendants therefore owe Plaintiff the value for the goods and services provided to Defendants for which Defendants have failed and/or refused to pay.

WHEREFORE, Plaintiff demands judgment against Defendants for the costs and expenses incurred in providing said benefits to Defendants and for its attorneys' fees and costs in pursuing this action as well as such further relief as this Court deems just and proper.

/s/ Jack P. Russell

JACK P. RUSSELL (RUS054)

PATRICK WARD (WAR080)

Counsel for Plaintiff,

Claremont Property Company, Inc.

OF COUNSEL:

HAND ARENDALL HARRISON SALE LLC

1801 5th Avenue N, Suite 400

Birmingham, Alabama 35203

Telephone: (205) 324-4400

Facsimile: (205) 322-1163

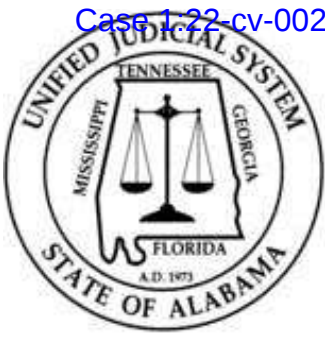
Email: jrusell@handfirm.com

PLEASE SERVE DEFENDANTS VIA CERTIFIED MAIL:

Island Tower Owners Association, Inc.

P.O. Box 851

Gulf Shores, Alabama 36547



AlaFile E-Notice

05-CV-2022-900276.00

To: JACK P RUSSELL
jrussell@handarendall.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.
05-CV-2022-900276.00

The following complaint was FILED on 3/21/2022 2:35:37 PM

Notice Date: 3/21/2022 2:35:37 PM

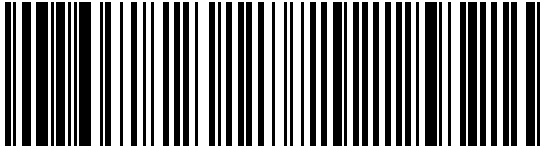
JODY L. WISE
CIRCUIT COURT CLERK
BALDWIN COUNTY, ALABAMA
312 COURTHOUSE SQUARE
SUITE 10
BAY MINETTE, AL, 36507

251-937-9561
jody.wise@alacourt.gov



312 COURTHOUSE SQUARE
SUITE 10
BAY MINETTE, AL, 36507

USPS CERTIFIED MAIL



9236 0901 7301 4105 2200 0184 44

05-CV-2022-900276.00

Restricted Delivery

To: ISLAND TOWER OWNERS ASSOCIATION INC.
P.O. BOX 851
GULF SHORES, AL 36547

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.

05-CV-2022-900276.00

The following complaint was FILED on 3/21/2022 2:35:37 PM

Notice Date: 3/21/2022 2:35:37 PM

JODY L. WISE
CIRCUIT COURT CLERK
BALDWIN COUNTY, ALABAMA
312 COURTHOUSE SQUARE
SUITE 10
BAY MINETTE, AL 36507

251-937-9561
jody.wise@alacourt.gov

| | | |
|---|------------------------------------|---|
| State of Alabama Unified Judicial System Form C-34 Rev. 4/2017 | SUMMONS - CIVIL - | Court Case Number 05-CV-2022-900276.00 |
|---|------------------------------------|---|

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.

NOTICE TO: ISLAND TOWER OWNERS ASSOCIATION INC., P.O. BOX 851, GULF SHORES, AL 36547
(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
 JACK P RUSSELL
(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 1801 5TH Avenue North, Ste. 400, BIRMINGHAM, AL 35203
(Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of CLAREMONT PROPERTY COMPANY
(Name(s))
 pursuant to the Alabama Rules of the Civil Procedure.

03/21/2022 *(Date)* /s/ JODY L. WISE *(Signature of Clerk)* By: _____ *(Name)*

☒ Certified Mail is hereby requested. /s/ JACK P RUSSELL
(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
 _____ in _____ County,
(Name of Person Served) *(Name of County)*

Alabama on _____
(Date)

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Server's Printed Name)

(Phone Number of Server)



March 25, 2022

Dear Circuit Clerk:

UJS Information

| | |
|------------------------------------|---|
| Case Number: 05-CV-2022-900276.00 | Intended Recipient: |
| Document Type: Complaint | ISLAND TOWER OWNERS ASSOCIATION INC. (D001) |
| Restricted Delivery Requested: Yes | P.O. BOX 851 |
| | GULF SHORES, AL 36547 |

The following is in response to your request for proof of delivery on your item with the tracking number:
9236 0901 7301 4105 2200 0184 44.

Item Details

| | |
|----------------------------|--|
| Status: | Delivered, Individual Picked Up at Post Office |
| Status Date / Time: | March 25, 2022, 11:21 am |
| Location: | GULF SHORES, AL 36542 |
| Postal Product: | First-Class Mail® |
| Extra Services: | Certified Mail Restricted Delivery |
| | Return Receipt Electronic |

Shipment Details

| | |
|----------------|-------|
| Weight: | 2.0oz |
|----------------|-------|

Recipient Signature

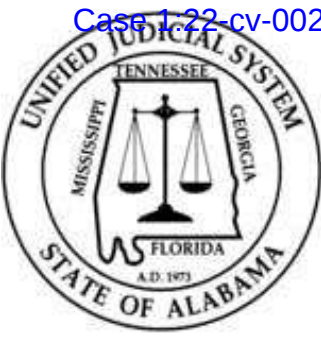
Signature of Recipient:

Address of Recipient:

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004



AlaFile E-Notice

05-CV-2022-900276.00

Judge: SCOTT P. TAYLOR

To: RUSSELL JACK PERSHING
jrussell@handarendall.com

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.
05-CV-2022-900276.00

The following matter was served on 3/25/2022

D001 ISLAND TOWER OWNERS ASSOCIATION INC.

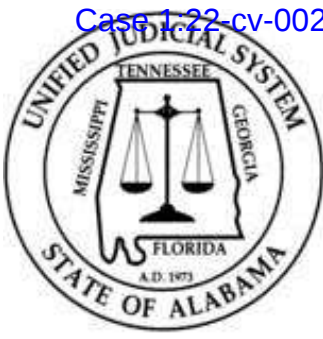
Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

JODY L. WISE
CIRCUIT COURT CLERK
BALDWIN COUNTY, ALABAMA
312 COURTHOUSE SQUARE
SUITE 10
BAY MINETTE, AL, 36507

251-937-9561
jody.wise@alacourt.gov



AlaFile E-Notice

05-CV-2022-900276.00

Judge: SCOTT P. TAYLOR

To: ISLAND TOWER OWNERS ASSOCIATION INC. (PRO SE)
P.O. BOX 851
GULF SHORES, AL, 36547-0000

NOTICE OF SERVICE

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.
05-CV-2022-900276.00

The following matter was served on 3/25/2022

D001 ISLAND TOWER OWNERS ASSOCIATION INC.

Corresponding To

CERTIFIED MAIL

ELECTRONIC CERTIFIED MAIL RETURN

JODY L. WISE
CIRCUIT COURT CLERK
BALDWIN COUNTY, ALABAMA
312 COURTHOUSE SQUARE
SUITE 10
BAY MINETTE, AL, 36507

251-937-9561
jody.wise@alacourt.gov



ELECTRONICALLY FILED
4/6/2022 10:49 AM
05-CV-2022-900276.00
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
JODY L. WISE, CLERK

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

| | | |
|-----------------------------|---|-----------------------------|
| CLAREMONT PROPERTY COMPANY, |) | |
| Plaintiff, |) | |
| |) | |
| V. |) | Case No.: CV-2022-900276.00 |
| |) | |
| ISLAND TOWER OWNERS |) | |
| ASSOCIATION INC., |) | |
| Defendant. |) | |

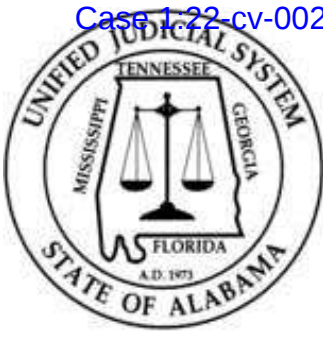
ORDER

Case is set for Pretrial Conference SEPTEMBER 13, 2022 at 2:00 P.M. in Courtroom #1 of the Baldwin County Courthouse. This is a mandatory court appearance and no continuance will be granted. Any attorney of record in a case with incomplete discovery shall provide specific information concerning the anticipated completion date. Failure to appear shall be grounds for dismissal or entry of default.

In cases that are ready for trial, the parties may file a joint status report advising the Court of the length of time that it will take to try the case. Cases announcing ready will be placed on the first available trial docket or specially set.

DONE this 6th day of April, 2022.

/s/ SCOTT P. TAYLOR
CIRCUIT JUDGE



AlaFile E-Notice

05-CV-2022-900276.00

Judge: SCOTT P. TAYLOR

To: RUSSELL JACK PERSHING
jrussell@handarendall.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

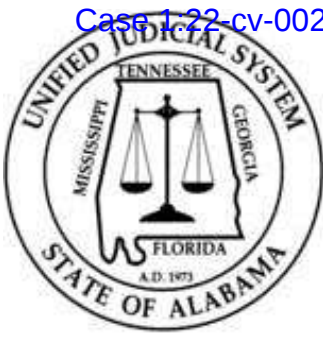
CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.
05-CV-2022-900276.00

The following matter was FILED on 4/6/2022 10:49:18 AM

Notice Date: 4/6/2022 10:49:18 AM

JODY L. WISE
CIRCUIT COURT CLERK
BALDWIN COUNTY, ALABAMA
312 COURTHOUSE SQUARE
SUITE 10
BAY MINETTE, AL, 36507

251-937-9561
jody.wise@alacourt.gov



AlaFile E-Notice

05-CV-2022-900276.00

Judge: SCOTT P. TAYLOR

To: ISLAND TOWER OWNERS ASSOCIATION INC. (PRO SE)
P.O. BOX 851
GULF SHORES, AL, 36547-0000

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State of Alabama

Unified Judicial System

Form ARCiv-93 Rev. 9/18

COVER SHEET

CIRCUIT COURT - CIVIL CASE

(Not For Domestic Relations Cases)

Ca:

05

Date of Filing:
03/21/2022

05-CV-2022-900276.00

CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

JODY L. WISE, CLERK

Judge Code:

GENERAL INFORMATION

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAREMONT PROPERTY COMPANY v. ISLAND TOWER OWNERS ASSOCIATION INC.

First Plaintiff:

☒ Business

☐ Individual

☐ Government

☐ Other

First Defendant:

☒ Business

☐ Individual

☐ Government

☐ Other

NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:

TORTS: PERSONAL INJURY

☐ WDEA - Wrongful Death

☐ TONG - Negligence: General

☐ TOMV - Negligence: Motor Vehicle

☐ TOWA - Wantonness

☐ TOPL - Product Liability/AEMLD

☐ TOMM - Malpractice-Medical

☐ TOLM - Malpractice-Legal

☐ TOOM - Malpractice-Other

☐ TBFM - Fraud/Bad Faith/Misrepresentation

☐ TOXX - Other:

TORTS: PERSONAL INJURY

☐ TOPE - Personal Property

☐ TORE - Real Property

OTHER CIVIL FILINGS

☐ ABAN - Abandoned Automobile

☐ ACCT - Account & Nonmortgage

☐ APAA - Administrative Agency Appeal

☐ ADPA - Administrative Procedure Act

☐ ANPS - Adults in Need of Protective Service

OTHER CIVIL FILINGS (cont'd)

☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/
Enforcement of Agency Subpoena/Petition to Preserve

☐ CVRT - Civil Rights

☐ COND - Condemnation/Eminent Domain/Right-of-Way

☐ CTMP - Contempt of Court

☒ CONT - Contract/Ejectment/Writ of Seizure

☐ TOCN - Conversion

☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/
Injunction Election Contest/Quiet Title/Sale For Division

☐ CVUD - Eviction Appeal/Unlawful Detainer

☐ FORJ - Foreign Judgment

☐ FORF - Fruits of Crime Forfeiture

☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition

☐ PFAB - Protection From Abuse

☐ EPFA - Elder Protection From Abuse

☐ QTLB - Quiet Title Land Bank

☐ FELA - Railroad/Seaman (FELA)

☐ RPRO - Real Property

☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship

☐ COMP - Workers' Compensation

☐ CVXX - Miscellaneous Circuit Civil Case

ORIGIN:

F☒ INITIAL FILING

A☐ APPEAL FROM DISTRICT COURT

O☐ OTHER

R☐ REMANDED

T☐ TRANSFERRED FROM OTHER CIRCUIT COURT

HAS JURY TRIAL BEEN DEMANDED?

☐ YES☒ NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED:

☒ MONETARY AWARD REQUESTED☐ NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

RUS045

3/21/2022 2:35:50 PM

/s/ JACK P RUSSELL

DateSignature of Attorney/Party filing this form

MEDIATION REQUESTED:

☐ YES☐ NO☒ UNDECIDED

Election to Proceed under the Alabama Rules for Expedited Civil Actions:

☐ YES☐ NO



IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

CLAREMONT PROPERTY COMPANY,

PLAINTIFF,

v.

ISLAND TOWER OWNERS ASSOCIATION,
INC., and FICTITIOUS PARTIES A-D, being
fictitious party Defendants, whose names are not
known at this time, but which will be added
when ascertained, and who are those persons
firms, corporations, or other legal entities,
which benefitted from the work performed by
Plaintiff. Upon ascertaining the proper names
and/or identities of the Fictitious Defendants,
Plaintiff will seasonably amend the Complaint
to identify the parties,

DEFENDANTS.

CIVIL ACTION NO. _____

COMPLAINT

COMES NOW, Plaintiff, Claremont Property Company, Inc., and files this Complaint
against Defendants, Island Tower Owners Association, Inc. and Fictitious Parties A-D as follows:

PARTIES

1. Plaintiff, Claremont Property Company, Inc., is a Texas corporation authorized
to transact business in Alabama. Plaintiff, among other specialties, restores and remediates
properties that have experienced a water, fire, or other destructive event.

2. Upon information and belief, Defendant, Island Tower Owners Association,
Inc., is an Alabama non-profit corporation which is the owner's association of the Island Tower
condominiums located at or near 521 W. Beach Blvd., Gulf Shores, Alabama ("Island
Tower").

3. Fictitious parties A through D are those entities that have benefited from the work performed by Plaintiff.

JURISDICTON AND VENUE

4. This Court has jurisdiction over this matter pursuant to Ala. Code § 12-12-30.

5. The events, transactions, and occurrences forming the factual nexus and subject matter of Plaintiff's action against Defendants took place within Baldwin County, Alabama. Therefore, pursuant to Alabama Code § 6-3-7 (1975) venue is proper in the Circuit Court of Baldwin County, Alabama.

FACTUAL ALLEGATIONS

6. As background, Island Tower is a condominium complex located in Gulf Shores, Alabama.

7. On or around November 20, 2020, Defendants contracted with Plaintiff to perform construction for the complex.

8. Plaintiff's work on the Island Tower was extensive, including making repairs to Island Tower that suffered water and moisture damage. While making the repairs, Plaintiff also incurred expenses arising from the purchase of materials and employing labor.

9. Upon completion of each stage of the work, Plaintiff provided invoices to Defendants. Defendants paid some, but not all of the invoices, for work performed from December 2021 to September 8, 2021.

10. To date, Defendants have failed to pay the amounts due under the invoices. A balance remains of \$740,303.41 for work performed, which is now past due.

11. Pursuant to the Contract, Plaintiff is entitled to attorneys' fees in any action to enforce the Contract.

COUNT I**BREACH OF CONTRACT**

12. Plaintiff adopts and incorporates all paragraphs of the Complaint by reference as if fully set forth herein.

13. Defendants entered into a Contract with Plaintiff for the construction provided to Island Tower.

14. Defendants owe Plaintiff for the work performed under the Contract.

15. Defendants have breached the Contract by failing to pay for the services rendered under contract.

WHEREFORE, Plaintiff demands judgment against Defendants, inclusive of accrued interest, attorneys' fees and costs incurred in bringing this action, and for such further relief as this Court deems just and proper.

COUNT II**UNJUST ENRICHMENT/QUANTUM MERUIT**

16. Plaintiff adopts and incorporates all paragraphs of the Complaint by reference as if fully set forth herein.

17. Plaintiff conferred a benefit upon Defendants by providing the contracted -for services to Defendants, which directly benefited the Defendants.

18. Defendants appreciated, accepted, and retained the benefits Plaintiff conferred upon Defendants.

19. It would be inequitable for Defendants to retain the benefits conferred by Plaintiff without paying fair value for the benefits conferred.

20. Defendants therefore owe Plaintiff the value for the goods and services provided to Defendants for which Defendants have failed and/or refused to pay.

WHEREFORE, Plaintiff demands judgment against Defendants for the costs and expenses incurred in providing said benefits to Defendants and for its attorneys' fees and costs in pursuing this action as well as such further relief as this Court deems just and proper.

/s/ Jack P. Russell

JACK P. RUSSELL (RUS054)

PATRICK WARD (WAR080)

Counsel for Plaintiff,

Claremont Property Company, Inc.

OF COUNSEL:

HAND ARENDALL HARRISON SALE LLC

1801 5th Avenue N, Suite 400

Birmingham, Alabama 35203

Telephone: (205) 324-4400

Facsimile: (205) 322-1163

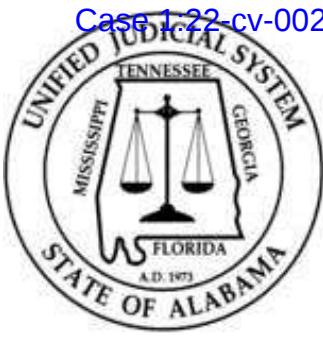
Email: jrusell@handfirm.com

PLEASE SERVE DEFENDANTS VIA CERTIFIED MAIL:

Island Tower Owners Association, Inc.

P.O. Box 851

Gulf Shores, Alabama 36547



AlaFile E-Notice

05-CV-2022-900276.00

To: JACK P RUSSELL
jrussell@handarendall.com

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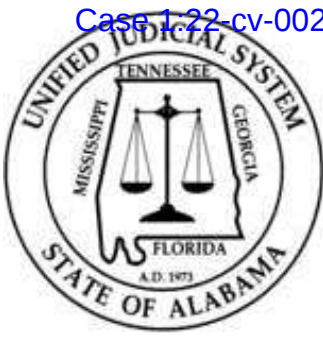
CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.
05-CV-2022-900276.00

The following alias summons was FILED on 5/2/2022 3:09:28 PM

Notice Date: 5/2/2022 3:09:28 PM

JODY L. WISE
CIRCUIT COURT CLERK
BALDWIN COUNTY, ALABAMA
312 COURTHOUSE SQUARE
SUITE 10
BAY MINETTE, AL, 36507

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jody.wise@alacourt.gov



AlaFile E-Notice

05-CV-2022-900276.00

To: ISLAND TOWER OWNERS ASSOCIATION INC.
GEORGE IRVINE, AS COUNSEL
8820 US HWY 90
DAPHNE, AL, 36526

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| | | |
|---|------------------------------------|---|
| State of Alabama Unified Judicial System Form C-34 Rev. 4/2017 | SUMMONS - CIVIL - | Court Case Number 05-CV-2022-900276.00 |
|---|------------------------------------|---|

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
CLAREMONT PROPERTY COMPANY V. ISLAND TOWER OWNERS ASSOCIATION INC.

NOTICE TO: ISLAND TOWER OWNERS ASSOCIATION INC., GEORGE IRVINE, AS COUNSEL 8820 US HWY 90, DAPHNE, AL 36526
(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
 JACK P RUSSELL
(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 1801 5TH Avenue North, Ste. 400, BIRMINGHAM, AL 35203
(Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of CLAREMONT PROPERTY COMPANY
(Name(s))
 pursuant to the Alabama Rules of the Civil Procedure.

05/02/2022 *(Date)* /s/ JODY L. WISE *(Signature of Clerk)* By: _____ *(Name)*

☒ Certified Mail is hereby requested. /s/ JACK P RUSSELL
(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
 _____ in _____ County,
(Name of Person Served) *(Name of County)*

Alabama on _____
(Date)

(Type of Process Server)

(Server's Signature)

(Address of Server)

(Server's Printed Name)

(Phone Number of Server)